



Appeal Decision

Site visit made on 15 February 2022

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 February 2022

Appeal Ref: APP/Y3940/W/21/3283637

52 Lowden, Chippenham SN15 2BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Jamie Paine against the decision of Wiltshire Council.
 - The application Ref 20/11086/OUT, dated 10 December 2020, was refused by notice dated 25 March 2021.
 - The development proposed is described as two three bedroom semi-detached dwellings.
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Decision

1. The appeal is allowed and outline planning permission is granted for two three bedroom semi-detached dwellings at 52 Lowden, Chippenham SN15 2BE in accordance with the terms of the application, Ref 20/11086/OUT, dated 10 December 2020, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Procedural Matters

2. The application was made in outline with all matters reserved. Except insofar as the submitted plan shows the proposed access points, I have therefore treated the details shown as indicative. That said, the size and shape of the site, together with the type of development proposed, all limit scope for variation. The submitted plan therefore provides a reasonable indication of how the site would be laid out.

Main Issues

3. The main issues are the effect of the development on:
 - the living conditions of future occupants of the development in relation to the provision of outdoor amenity space; and
 - the character and appearance of the area.

Reasons

Living conditions

4. The Council's concerns relate to the provision of 'amenity space' in front of the dwellings. This is shown as 4 parking spaces on the submitted plan.
5. As drawn, parking spaces would occupy the full width of the frontage. The dimensions shown appear slightly wider than those generally applicable in relation to perpendicular parking. Most spaces would also potentially be longer given the angled nature of the frontage. As such there is no reason to believe that parking would render the dwellings inaccessible, or otherwise significantly hinder access. In this regard obstruction could arise if vehicles of larger than average size were parked. This would however be a somewhat illogical product of individual choice.
6. Though parking at the front would provide limited scope to store bins, a more desirable solution would be to store them at the back. Here the plan shows a shared rear access. Use of such an access would not normally involve the occupants of one dwelling walking through the garden of another, as a passage would typically be provided. The distances involved front to back are very short, and ground levels are reasonably flat. The arrangement would not be unusual and nor would it be inconvenient.
7. Scope would exist to provide some limiting planted on the frontage. The necessity for this is however unclear as the dwellings would otherwise be provided with back gardens. As indicatively drawn, these would be similar in size to those of adjacent dwellings. That and the above being so, a both satisfactory and functional overall provision of amenity space could be achieved.
8. For the reasons set out above I conclude that the development would not provide unacceptable living conditions for future occupants with regard to amenity space. The development would therefore comply with Core Policy 57 of the Wiltshire Core Strategy 2015 (the CS) insofar as this seeks to secure development within which appropriate levels of amenity are achievable.

Character and appearance

9. 52 Lowden is a detached dwelling which stands within a reasonably large plot. Whereas No 52 fronts Lowden, the rear and side of the plot backs onto St Peter's Close. The parts of streets in question do not adjoin.
10. St Peter's Close is predominantly characterised by a mix of semi-detached and terraced dwellings with reasonably shallow frontages, the design and spacing of which varies. Land immediately to the rear of the plot accommodates open space and access to garaging. As viewed from St Peter's Close, the plot on which No 52 stands currently fits poorly within the streetscene. This impression is accentuated by the boundary wall.
11. The proposed development would see the plot split. The pair of proposed dwellings would be accessed from and form part of the streetscene within St Peter's Close. No 52 would continue to primarily form part of the streetscene within Lowden. The relationship would be unusual on account of the differing orientation of the buildings. Though this could give rise to a visually awkward

relationship, careful handling of the reserved matters of scale and appearance provide scope for this to be satisfactory addressed.

12. The proposed pair of dwellings and No 52 would necessarily stand close together, and a gable end has been shown running along the edge of the plot within St Peter's Close. The proposed pair of dwellings would therefore be tightly fitted within the width of the plot. This would not appear inconsistent with the layout of some terraced dwellings within the street, but it would contrast with the slightly more spacious arrangement of semi-detached dwellings.
13. Though small, it nonetheless appears that the gap between the proposed pair of dwellings and No 52 would fall within the existing range. The provision of parking and garden space to the front and rear would also be appreciable from within St Peter's Close, as would the continued existence of open space to the side of No 52. The above, taken in combination with the fact that the side of the plot itself faces onto an area of open space, the development would not appear unduly cramped, or the plot overdeveloped.
14. Many dwellings along St Peter's Close have shallow paved frontages used for parking. Some of these frontages contain little if any soft landscaping. As such, the accommodation of parking on the frontage of the site would be consistent with the established pattern whether or not any planting was incorporated.
15. No 52 would lose its back garden, however it would retain ample space on all other sides. It would indeed remain a relatively large plot. Despite close spacing with the proposed dwellings to the rear, the development would not therefore cause No 52 to appear cramped.
16. In view of my findings above, it is likely that some differences would exist between the proposed development and other development within its setting. This would not however give rise to unacceptable harm, particularly when taking into account the existing baseline.
17. For the reasons outlined above I conclude that the proposed development would not cause any unacceptable harm to the character and appearance of the area. It would therefore again comply with Policy 57 of the CS insofar as this seeks to both secure development that makes efficient use of land, and relates effectively to the immediate setting and to the wider character of the area.

Other Matters

18. The decision notice makes reference to design policy set out within the National Planning Policy Framework. I have taken this into account, however nothing within it causes me to reach different views to those set out above.
19. Interested parties have raised a number of additional concerns not apparently shared by the Council. These include adverse effects on the outlook of the occupants of No 52, on pedestrian safety, in relation to parking and access, noise and disruption during construction, and conflict with obligations set out within covenants. The outlook from the kitchen of No 52 would be obstructed, however other sources of outlook exist. Parking would be provided on site, and the plans indicate that access could be achieved without giving rise to any obvious conflict with pedestrians. Some localised disruption and disturbance would inevitably arise during construction works, however there is no reason to

believe that this would be unduly harmful given the small scale of the development. Lastly, covenants are a private matter to be separately addressed by the appellant if necessary. These concerns do not therefore affect my overall assessment.

Conditions

20. I have imposed standard conditions setting out the time period for commencement and approval of the reserved matters. This is for sake of certainty.

Conclusion

21. For the reasons set out above I conclude that the appeal should be allowed.

Benjamin Webb

INSPECTOR